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NOTICE OF ALLOWANCE AND FEE(S) DUE

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02/02/2005

MILES & STOCKBRIDGE PC 1751 PINNACLE DRIVE SUITE 500 MCLEAN, VA 22102-3833

EXAMINER				
HURLEY, KEVIN				
ART UNIT	PAPER NUMBER			

DATE MAILED: 02/02/2005

- (APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
	10/767,613	01/30/2004	Osamu Tatewaki	XA-9699A	8311

TITLE OF INVENTION: ELECTRIC POWER STEERING APPARATUS

APPLN. TYPE	SMALL ENTITY	ISSUE FEE	PUBLICATION FEE	TOTAL FEE(S) DUE	DATE DUE
nonprovisional	NO	\$1400	\$300	\$1700	05/02/2005

THE APPLICATION IDENTIFIED ABOVE HAS BEEN EXAMINED AND IS ALLOWED FOR ISSUANCE AS A PATENT. PROSECUTION ON THE MERITS IS CLOSED. THIS NOTICE OF ALLOWANCE IS NOT A GRANT OF PATENT RIGHTS. THIS APPLICATION IS SUBJECT TO WITHDRAWAL FROM ISSUE AT THE INITIATIVE OF THE OFFICE OR UPON PETITION BY THE APPLICANT. SEE 37 CFR 1.313 AND MPEP 1308.

THE ISSUE FEE AND PUBLICATION FEE (IF REQUIRED) MUST BE PAID WITHIN THREE MONTHS FROM THE MAILING DATE OF THIS NOTICE OR THIS APPLICATION SHALL BE REGARDED AS ABANDONED. THIS STATUTORY PERIOD CANNOT BE EXTENDED. SEE 35 U.S.C. 151. THE ISSUE FEE DUE INDICATED ABOVE REFLECTS A CREDIT FOR ANY PREVIOUSLY PAID ISSUE FEE APPLIED IN THIS APPLICATION. THE PTOL-85B (OR AN EQUIVALENT) MUST BE RETURNED WITHIN THIS PERIOD EVEN IF NO FEE IS DUE OR THE APPLICATION WILL BE REGARDED AS ABANDONED.

HOW TO REPLY TO THIS NOTICE:

I. Review the SMALL ENTITY status shown above.

If the SMALL ENTITY is shown as YES, verify your current SMALL ENTITY status:

- A. If the status is the same, pay the TOTAL FEE(S) DUE shown above.
- B. If the status above is to be removed, check box 5b on Part B Fee(s) Transmittal and pay the PUBLICATION FEE (if required) and twice the amount of the ISSUE FEE shown above, or

If the SMALL ENTITY is shown as NO:

- A. Pay TOTAL FEE(S) DUE shown above, or
- B. If applicant claimed SMALL ENTITY status before, or is now claiming SMALL ENTITY status, check box 5a on Part B Fee(s) Transmittal and pay the PUBLICATION FEE (if required) and 1/2 the ISSUE FEE shown above.
- II. PART B FEE(S) TRANSMITTAL should be completed and returned to the United States Patent and Trademark Office (USPTO) with your ISSUE FEE and PUBLICATION FEE (if required). Even if the fee(s) have already been paid, Part B Fee(s) Transmittal should be completed and returned. If you are charging the fee(s) to your deposit account, section "4b" of Part B Fee(s) Transmittal should be completed and an extra copy of the form should be submitted.
- III. All communications regarding this application must give the application number. Please direct all communications prior to issuance to Mail Stop ISSUE FEE unless advised to the contrary.

IMPORTANT REMINDER: Utility patents issuing on applications filed on or after Dec. 12, 1980 may require payment of maintenance fees. It is patentee's responsibility to ensure timely payment of maintenance fees when due.

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Notice of Non-Compliant Amendment (37 CFR 1.121)

Application No.	Applicant(s)	
09/927,790	DAHIYAT ET AL.	
Examiner	Art Unit	
Michael Borin	1631	

Amenament (37 GFR 1.121)			
	Michael Borin	1631	
The MAILING DATE of this communication app	ears on the cover sheet with the co	orrespondence ad	dress
The amendment document filed on is considered 37 CFR 1.121. In order for the amendment document to			
THE FOLLOWING MARKED (X) ITEM(S) CAUSE THE. 1. Amendments to the specification: A. Amended paragraph(s) do not include B. New paragraph(s) should not be under C. Other	markings.	3E NON-COMPLI	ANT:
 2. Abstract: A. Not presented on a separate sheet. 37 B. Other 	CFR 1.72.		
 3. Amendments to the drawings: A. The drawings are not properly identifie "Annotated Sheet" as required by 37 C B. The practice of submitting proposed drawing amended figures, without ma C. Other 	CFR 1.121(d). rawing correction has been elimin	ated. Replaceme	ent drawings
 ✓ 4. Amendments to the claims: ☐ A. A complete listing of all of the claims is ☐ B. The listing of claims does not include t ☐ C. Each claim has not been provided with of each claim cannot be identified. No number by using one of the following s (Previously presented), (New), (Not er ☐ D. The claims of this amendment paper h ☑ E. Other: See Continuation Sheet. 	he text of all pending claims (incluing the proper status identifier, and attempt the status of every claim musstatus identifiers: (Original), (Currentered), (Withdrawn) and (Withdrawn)	as such, the indiv t be indicated afte ently amended), (wn-currently ame	idual status er its claim Canceled), ended).

For further explanation of the amendment format required by 37 CFR 1.121, see MPEP § 714 and the USPTO website at http://www.uspto.gov/web/offices/pac/dapp/opla/preognotice/officeflyer.pdf.

TIME PERIODS FOR FILING A REPLY TO THIS NOTICE:

- 1. Applicant is given **no new time period** if the non-compliant amendment is an after-final amendment or an amendment filed after allowance. If applicant wishes to resubmit the non-compliant after-final amendment with corrections, the **entire corrected amendment** must be resubmitted within the time period set forth in the final Office action.
- 2. Applicant is given **one month**, or thirty (30) days, whichever is longer, from the mail date of this notice to supply the **corrected section** of the non-compliant amendment in compliance with 37 CFR 1.121, if the non-compliant amendment is one of the following: a preliminary amendment, a non-final amendment (including a submission for a request for continued examination (RCE) under 37 CFR 1.114), a supplemental amendment filed within a suspension period under 37 CFR 1.103(a) or (c), and an amendment filed in response to a *Quayle* action.

Extensions of time are available under 37 CFR 1.136(a) only if the non-compliant amendment is a non-final amendment or an amendment filed in response to a *Quayle* action.

Failure to timely respond to this notice will result in:

Abandonment of the application if the non-compliant amendment is a non-final amendment or an amendment filed in response to a *Quayle* action; or

Non-entry of the amendment if the non-compliant amendment is a preliminary amendment or supplemental amendment.

Continuation of 4(e) Other:

There are two claims number 33; the rest of the claims are claims dependent on claim 32, now canceled .

As was discussed with Joyce L. Morrison in a telephone conversation on 08/05/2005, the new set of claims with proper numbering and amendment reflecting response to utility rejections will be submitted.

SUPERVISORY PATENT EXAMINED